



10-2-11

## **RESIDENTIAL BOARD OF ADJUSTMENT DECISIONS**

**Wednesday, October 19, 2011  
1:30 PM  
1000 Throckmorton  
City Council Chamber  
2<sup>nd</sup> Floor – City Hall  
Fort Worth, Texas 76102**

### **BOARD MEMBERS:**

Norris Fletcher (Alternate)	_____ P
Ronald R. Shearer	_____ A
Wendy Vann Roach (Alternate)	_____ P
Barbara Worthley	_____ P
Jerry Tinkle, Chair	_____ P
Vacant	_____
Clifford (Carl) Logan, Vice Chair	_____ P
Wade Chappell	_____ A
Michael Wellbaum (Alternate)	_____ P
Shirley Bryant	_____ P
Victoria E. Bargas	_____ P

### **I. 12:30 P.M. LUNCH/WORK SESSION Pre-Council Chamber**

**A. Review of Cases on Today's Agenda.**

**B. Review of the Annual Report.**

### **II. 1:30 P.M. PUBLIC HEARING Council Chamber**

**A. Approval of Minutes of the September 21, 2011 Hearings**

**APPROVED  
4-0-4**

### **ASSISTANCE AT THE PUBLIC MEETINGS:**

The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available on the south side of the City Hall building to the south of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers or large print, are requested to call 817-392-7844, FAX 817-392-7985, or call TDD 1-800-RELAY-TX at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

### **Executive Session.**

A closed Executive Session may be held with respect to any posted agenda item to enable the Commission to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.



**B. Translation Cases:**

**1. BAR-11-202**

**MARIA IRMA MORENO**  
3304 S. Hughes Avenue

**CD5**

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a five (5) foot wrought iron fence in the front yard.

**APPROVED 8/0**

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an enclosed garage eliminating the one (1) parking space behind the front building line.

**APPROVED 8/0**

**2. BAR-11-210**

**REZA M. ALAVI**  
4852 Nolan Street

**CD8**

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a front yard carport in the projected front yard where none is allowed.

**APPROVED 8/0**

- b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a four (4) foot solid fence in the projected front yard.

**APPROVED 8/0**

- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an approximate six (6) foot solid wood fence instead of the allowed four (4) foot solid fence excessive by approximately two (2) feet.

**APPROVED 8/0**



**3. BAR-11-238**

**RAUL AND LORENA RAMIREZ**  
6974 Wildbriar Court W.

**CD4**

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a five (5) foot wrought iron and masonry fence in the front yard.

**DENIED WITHOUT PREJUDICE 8/0**

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a an approximate five foot five inch (5'5") wrought iron and masonry fence instead of the maximum allowed five (5) feet in height, excessive by approximately five inches (5").

**DENIED WITHOUT PREJUDICE 8/0**

- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a five foot five inch (5'5") wrought iron and masonry fence in the Public Open Space Easement (P.O.S.E.).

**DENIED WITHOUT PREJUDICE 8/0**

- d. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a wrought iron and masonry fence that is greater than the required fifty (50) percent density.

**DENIED WITHOUT PREJUDICE 8/0**

- e. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a patio cover that encroaches approximately ten (10) feet into the required ten (10) foot side street yard setback creating an approximate zero (0) foot side street yard.

**DENIED WITHOUT PREJUDICE 8/0**

**4. BAR-11-242**

**NIBARDO J. JIMENEZ**  
5601 Sun Valley Drive

**CD5**

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a front yard carport in the front yard where none is allowed.

**APPROVED 7/1**

- b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a three foot six inch (3'6") solid brick fence in the front yard.

**APPROVED 7/1**

- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a three foot six inch (3'6") solid brick fence in the Public Open Space Easement (P.O.S.E.).

**APPROVED 7/1**



**C. Continued Cases:**

1. **BAR-11-218** **THOMAS R. AND JESSICA BOLGER** **CD3**  
3801 Lynncrest Drive
  - a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued construction of a four (4) foot solid wood fence in the projected front yard.  
**MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 3/5**
  - b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued construction of an approximate six foot eight (6'8") solid wood fence instead of the maximum allowed four (4) feet in height, excessive by approximately two feet eight inches (2'8").  
**MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 3/5**
2. **BAR-11-224** **MATTHEW L. AND KIMBER JOHNSON, by David Kizer** **CD7**  
3612 Monticello Drive
  - a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of a four (4) foot solid masonry fence in the front yard.  
**DENIED 6/2**
  - b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of a five (5) foot wrought iron ~~and masonry~~ fence along Bristol Road in the front yard.  
**MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/2**
  - c. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an approximate nine (9) foot ~~masonry and~~ wrought iron fence instead of the maximum allowed four (4) feet in height, excessive by approximately five (5) feet along Bristol Road.  
**MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/2**
3. **BAR-11-226** **MICHAEL H. AND HAYLEY H. HOLTON, by Bureau Veritas** **CD3**  
3233 Preston Hollow Road
  - a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a carport encroaching approximately four (4) feet into the required five (5) foot side yard setback, creating an approximate one (1) foot side yard.  
**DENIED WITHOUT PREJUDICE 8/0**



**D. New Cases:**

1. **BAR-11-231**                      **B.J. HESTER FAMILY LTD PRTNSHP, by Sue Ann Soll**                      **CD8**  
   4617 Trueland Drive
  - a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a front yard carport in the front yard.  
**APPROVED 8/0**
  - b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a five (5) foot open design fence in the front yard.  
**APPROVED 7/1**
  - c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a five (5) foot chain link fence where none is allowed.  
**APPROVED 7/1**
2. **BAR-11-232**                      **VOID**
3. **BAR-11-233**                      **MURTL AMIE**                      **CD5**  
   3959 Pate Drive
  - a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a front yard carport in the front yard.  
**APPROVED 8/0**
  - b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a five (5) foot open design fence in the front yard.  
**APPROVED 8/0**
  - c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a six (6) foot open design fence instead of the maximum allowed five (5) feet in height, excessive by one (1) foot.  
**APPROVED 8/0**
  - d. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a six (6) foot chain link fence where none is allowed.  
**APPROVED 8/0**
  - e. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an enclosed garage eliminating the one (1) parking space behind the front building line.  
**APPROVED 8/0**



4. **BAR-11-234**

**THOMAS F. III AND KATHRYN ELLIS**  
**By V. Fine Homes (Meredith Haller)**  
4074 Bunting Avenue

**CD7**

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a pool encroaching approximately ten (10) feet into the required ten (10) foot side street yard, creating an approximate zero (0) foot side street yard.

**APPROVED 8/0**

5. **BAR-11-235**

**NICOLAS AND BLANCA L. MURILLO**  
2738 S. Jones Street

**CD9**

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a detached garage encroaching approximately one (1) foot into the required three (3) foot side yard setback, creating an approximate two (2) foot side yard.

**APPROVED 7/1**

6. **BAR-11-236**

**SERGIO AND ROBYN ANAYA**  
1812 Spicewood Trail

**CD6**

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an enclosed garage eliminating the one (1) parking space behind the front building line.

**CASE NOT HEARD DUE TO NOTICING ERROR**

7. **BAR-11-237**

**JOSE M. STEWART**  
4913 Foard Street

**CD8**

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a four (4) foot solid fence in the projected front yard.

**CASE NOT HEARD DUE TO NOTICING ERROR**

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an approximate six (6) foot solid wood fence instead of the allowed four (4) foot solid fence excessive by approximately two (2) feet.

**CASE NOT HEARD DUE TO NOTICING ERROR**

- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a second garage where only one (1) garage is allowed.

**CASE NOT HEARD DUE TO NOTICING ERROR**

8. **BAR-11-239**

**JOHN AND DEVONNA MENARD LIV TRUST**  
6220 South Ridge Road

**CD7**

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a second garage where only one (1) garage is allowed.

**APPROVED 7/0/1**



**9. BAR-11-240**

**ROGER & JANET JACKSON, by Johnathan Killebrew**  
5001 & 5005 Bryce Avenue

**CD7**

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a residence encroaching approximately five (5) feet into the required thirty-one (31) foot front yard setback, creating an approximate twenty-six (26) foot front yard.

**CONTINUED TO NOVEMBER 16, 2011 7/1**

**10. BAR-11-241**

**ROBERT AND MANDY EVERITT**  
3701 Wyndale Court

**CD3**

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a storage shed approximately ten (10) feet instead of the maximum allowed eight (8) feet in height, excessive by approximately two (2) feet.

**APPROVED 8/0**

**11. BAR-11-243**

**GLENN K. AND JULIA A. DAVIDSON**  
429 Rivercrest Drive

**CD7**

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a four (4) foot ~~solid-wood~~ masonry fence in the front yard. **STIPULATING ALONG WESTVIEW AVENUE ONLY.**

**APPROVED 8/0**

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an approximate six (6) foot ~~solid-wood~~ masonry fence instead of the maximum allowed four (4) feet in height, excessive by approximately two (2) feet. **STIPULATING ALONG WESTVIEW AVENUE ONLY.**

**APPROVED 8/0**

- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an extension to the garage encroaching approximately fifteen (15) feet into the required twenty (20) foot front yard, creating an approximate five (5) foot front yard.

**APPROVED 8/0**

- d. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a swimming pool that will encroach approximately eleven (11) feet into the required twenty (20) foot front yard, creating an approximate nine (9) foot front yard.

**APPROVED 8/0**

**III. ADJOURNMENT: 5:48 P.M.**